

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION

BULLDOG ERECTORS, INC.)
Plaintiff,)
)
v.) **JUDGMENT**
) No. 2:22-CV-8-M
FLATIRON CONSTRUCTORS, INC.)
Defendant)

Decision by Court.

This action came before the Honorable Louise W. Flanagan, United States District Judge, for consideration of the plaintiff's motion for summary judgment.

IT IS ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered March 14, 2025 and for the reasons set forth more specifically therein, it is ordered that plaintiff's motion for summary judgment is GRANTED in part and DENIED as moot in part. Judgment is entered in favor of Bulldog as to Flatiron's breach of contract, fraudulent concealment and UDTP counterclaims, as well as for Flatiron's Eighth Defense of Fraud and/or mistake.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED in accordance with the court's order entered March 14, 2025, and for the reasons set forth more specifically therein, that the court enters declaratory judgment as follows: 1) the Leases as shown in DE66-2 are valid contracts; 2) by signing the leases, Flatiron agreed that the Equipment was shipped in good serviceable condition; 3) Flatiron was required to promptly inspect the Equipment upon delivery and notify Bulldog in writing of any readily observable damages and/or defects in the Equipment within twenty-four (24) hours; 4) the Leases require Flatiron to maintain and return the Equipment in good operating condition, well-greased, oiled, cleaned, repaired, in accordance with all specifications, fully operational, and free from any and all damages and/or defects; 5) the Leases require Flatiron to test and certify the cranes to verify the Equipment has been returned to the condition in which it was received prior to returning the Equipment to Bulldog.

This judgment Filed and Entered on March 14, 2025, and Copies To:

Erik T. Norton / Marshall Patterson Walker (via CM/ECF Notice of Electronic Filing)
Lucas David Garber / Nicholas Hulse / Travis W. Vance / Lawrence Darnell Hilton / Mary Grace Miller / Richard Bryan Holbrook (via CM/ECF Notice of Electronic Filing)

March 14, 2025

PETER A. MOORE, JR., CLERK

/s/ Sandra K. Collins
(By) Sandra K. Collins, Deputy Clerk

